Remarks

Applicant respectfully requests reconsideration of the present application in light of the foregoing amendments and following remarks.

Claims 4-10, 13-15, and 18-26 remain pending. Claims 1-3, 11, 12, 16, and 17 were previously cancelled. Claims 4, 5, 7, 8, 21, and 24-26 are independent.

Claims 4-10, 13-15, and 18-26 stand rejected. These rejections are respectfully traversed.

Request for Examiner Interview if Any Issues Remain

If any issues remain after entry of the present Response, Applicant formally requests that the Examiner contact the undersigned attorney *prior to issuance of the next Office Action* in order to arrange a telephonic interview pursuant to MPEP § 713.01.

The 35 U.S.C. § 103 Rejections of Claims 4-10, 13-15, and 18-23 Should be Withdrawn Because Groenendaal is Disqualified from Being Used as a Prior Art Reference for 35 U.S.C. § 103(a) Rejections

The Office Action ("Action") rejects claims 4-10, 13-15, and 18-23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,603,774 to Knappe et al. ("Knappe") in view of U.S. Patent No. 6,975,625 to Groenendaal ("Groenendaal") and further in view of U.S. Patent No. 6,535,505 to Hwang et al. ("Hwang").

Applicant traverses these rejections. In particular, Applicant directs the Examiner's attention to 35 U.S.C. § 103(c), which provides the following:

> Subject matter developed by another person, which qualifies as prior art only under one or more subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

As set out in the Statement of Common Ownership above, the present application and Groenendaal were both owned by the same entity at the time the invention of the present application was made. In particular, both the present application and Groenendaal were owned by, or were subject to an obligation of assignment to, Cisco Technology, Inc. at the time the invention of the present application was made. Furthermore, Groenendaal does not qualify as

prior art under any of subsections (a) through (d) of section 102 because the Aug 20, 2003 filing date of the present application precedes the earliest publication date of Groenendaal, which is the December 13, 2005 issue date thereof. Thus, Groenendaal is disqualified from being used as a prior art reference for 35 U.S.C. § 103(a) rejections (*see* MPEP 706.02(l)(1)-(3)).

Accordingly, the 35 U.S.C. § 103(a) rejections of claims 4-10, 13-15, and 18-23 should be withdrawn and such action is respectfully requested.

The 35 U.S.C. § 103 Rejections of Claims 24-26 Should be Withdrawn Because Groenendaal and McGuire are Both Disqualified from Being Used as Prior Art References for 35 U.S.C. § 103(a) Rejections

The Action rejects claims 24-26 under 35 U.S.C. § 103(a) as being unpatentable over Knappe in view of Groenendaal further in view of Hwang and further in view of U.S. Patent No. 6,996,615 to McGuire ("McGuire").

Applicant traverses these rejections. As discussed above, Groenendaal is disqualified from being used as a prior art reference for 35 U.S.C. § 103(a) rejections. McGuire is similarly disqualified. As set out in the Statement of Common Ownership above, the present application and McGuire were both owned by the same entity at the time the invention of the present application was made. In particular, both the present application and McGuire were owned by, or were subject to an obligation of assignment to, Cisco Technology, Inc. at the time the invention of the present application was made. Furthermore, McGuire does not qualify as prior art under any of subsections (a) through (d) of section 102 because the Aug 20, 2003 filing date of the present application precedes the earliest publication date of McGuire, which is the February 7, 2006 issue date thereof. Thus, McGuire is disqualified from being used as a prior art reference for 35 U.S.C. § 103(a) rejections (*see* MPEP 706.02(l)(1)-(3)).

Accordingly, the 35 U.S.C. § 103(a) rejections of claims 24-26 should be withdrawn and such action is respectfully requested.

Lengthy Prosecution

Applicant notes that the present Office Action is the *fifth Action on the merits* in this case, *all of which have been non-final Actions*. Also, there have been claim amendments in only two of the filed responses to the Office Actions. In light of USPTO Director Kappos's objective that

patent prosecution be *efficient and compact*, it is hoped that entry of the present Response can be used to help bring prosecution of the present application to an expeditious end.

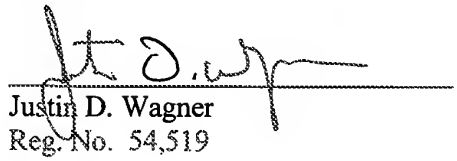
Conclusion

Applicant submits that the present application is in condition for allowance and such action is respectfully requested.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



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